IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 20TH DECEMBER 2006 / 29TH AGRAHAYANA 1928

WP(C).No. 33897 of 2006(I)

PETITIONER:

K.SATHIANATHAN, CHITTY INSPECTOR,
DISTRICT REGISTRAR OFFICE, MALAPPURAM.

BY ADV. SRI.ELVIN PETER P.J.
SRI.C.X.ANTONY BENEDICT

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY ITS SECRETARY, TAXES DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE INSPECTOR GENERAL OF REGISTRATION, REGISTRATION DEPARTMENT, THIRUVANANTHAPURAM.

3. THE DEPARTMENTAL PROMOTION COMMITTEE (HIGHER) FOR MAKING PROMOTION TO THE POST OF DISTRICT, REGISTRAR IN THE REGISTRATION DEPARTMENT REPRESENTED BY ITS CONVENOR SECRETARY, TAXES DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO.33897 of 2006

Dated this the 20th day of December, 2006

JUDGMENT

The petitioner is working as Chitty Inspector/Sub Registrar in the Registration Department. He was placed under suspension and disciplinary proceedings were initiated. Ext.P10 is the order finalising the disciplinary action by inflicting the penalty of withholding two increments of the petitioner without cumulative effect. Since the petitioner is about to retire, he has not filed any appeal against the order imposing penalty. It is contended that since disciplinary proceedings are over, he is entitled to be promotted to the higher post of Sub Registrar. He has also got a grievance that the period of suspension has not been regularised.

2. Ext.P11 is a representation filed by him before the Government requesting to consider his claim for promotion and to promote him atleast temporarily before he retires on superannuation. Ext.P13 is a representation filed before the Government requesting to regualrise the period of suspension, in accordance with law.

3. I have heard the learned counsel for the petitioner and the learned Government Pleader for the respondents.

4. In the facts and circumstances, it is necessary in the interest

of justice that the first respondent shall consider Exts.P11 and P13, in accordance with law and appropriate decision taken, as expeditiously as possible. Orders shall be passed on Ext.P11 within two weeks on the petitioner producing a copy of the judgment along with a copy of the writ petition. The petitioner is due to retire from service on 31.1.2007. Orders shall be passed on Ext.P13 within six weeks from the date of receipt of a copy of the judgment.

K.K.DENESAN, JUDGE

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